

02-11-09

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**Response Under 37 C.F.R. 1.116
EXPEDITED PROCEDURE
Examining Group: 1643**

**PATENT AX0001ID****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Pingyu Zhong, et al.

Serial No.: 10/723,434

Examiner: Bradley Duffy

Date Filed: November 26, 2003

Art Unit: 1643

For: HUMANIZED ANTIBODIES AGAINST VASCULAR ENDOTHELIAL GROWTH FACTOR

February 10, 2009

Mail Stop AF
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

AMENDMENT AFTER FINAL

Sir:

This is in response to the Office Action mailed November 13, 2008, having a shortened statutory period for reply which expires on February 13, 2009. Applicants respectfully request that this submission, which cancels rejected claims, and puts the subject matter under examination in condition for allowance be considered and entered into the record.

In the event, that any additional extension of time is deemed required, please treat this paper as a request under 37 C.F.R. §1.136(a) to charge Deposit Account No. 13-2755 the appropriate large entity fee, referencing attorney docket number AX0001ID, in order to avoid abandonment.

Amendments to the Claims begin on page 2 of this submission.

Remarks/Arguments begin on page 9 of this paper.

EXPRESS MAIL CERTIFICATEDATE OF DEPOSIT February 10, 2009EXPRESS MAIL NO. EM 046774894 US

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE" ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VIRGINIA 22313-1450, ON THE DATE APPEARING BELOW.

MERCK & CO., INC.

BY: Kathy Kitchousha DATE: February 10, 2009